

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Plaintiff,

v.

Lee Andrew Paul,

Defendant.

**MEMORANDUM OPINION
AND ORDER**

Criminal No. 15-48 ADM/SER

Lee Andrew Paul, pro se.

I. INTRODUCTION

This matter is before the undersigned United States District Judge for a ruling on Defendant Lee Andrew Paul’s (“Paul”) Motion to Alter or Amend Judgment [Docket No. 233] (“Rule 59(e) Motion”). Paul moves under Federal Rule of Civil Procedure 59(e) to alter or amend the April 27, 2020 Judgment [Docket No. 227]. The Judgment was entered pursuant to this Court’s April 24, 2020 Memorandum Opinion and Order (“Order”) [Docket No. 226] denying Paul’s Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence [Docket No. 203] (the “2255 Motion”). The factual and procedural background of this matter is set forth in the Court’s previous Order and will not be repeated here. See Order at 1–2. For the reasons set forth below, Paul’s Rule 59(e) Motion is denied.

II. DISCUSSION

“Rule 59(e) motions serve the limited function of correcting manifest errors of law or fact or to present newly discovered evidence.” United States v. Metro St. Louis Sewer Dist., 440 F.3d 930, 933 (8th Cir. 2006) (quotation marks omitted). “Such motions cannot be used to

introduce new evidence, tender new legal theories, or raise arguments which could have been offered or raised prior to entry of judgment.” Id. (quoting Innovative Home Health Care v. P.T.-O.T. Assoc. of the Black Hills, 141 F.3d 1284, 1286 (8th Cir. 1998)). Courts have “broad discretion in determining whether to grant or deny a motion to alter or amend judgment pursuant to Rule 59(e).” Id. Parties are granted relief under Rule 59(e) only in “extraordinary” circumstances. United States v. Young, 806 F.2d 805, 806 (8th Cir. 1987).

After reviewing Paul’s brief, the Court concludes that no manifest errors of fact or law appeared in its Order. Paul argues the Court “overlooked” seven factual or legal arguments raised in his § 2255 Motion. These arguments were already considered and rejected by the Court.

III. CONCLUSION

Based upon the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that Defendant Lee Andrew Paul’s Motion to Alter or Amend Judgment [Docket No. 233] is **DENIED**.

BY THE COURT:

s/Ann D. Montgomery
ANN D. MONTGOMERY
U.S. DISTRICT COURT

Dated: June 9, 2020